

## **360 New Homes Possible In Part of Bloomingdale**

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There may be 360 new homes coming to tiny Bloomingdale, the steep-sloped Passaic County borough tucked between Morris County's Riverdale and Butler.

It's a potential building boom in what many consider an environmentally sensitive area, but because Bloomingdale has not built enough affordable housing, the borough found itself open to developer lawsuits.

Under state law, Bloomingdale is required to have 129 units of low-and moderate-income housing. It only has five, said a spokesman for the state Council on Affordable Housing. So two years ago, they lost their state protection against builder lawsuits.

Now, Bloomingdale is under court order to allow developer D.R. Horton to build a 360-unit condominium project on 32 acres of environmentally sensitive land in the 9-square-mile borough that only has a small amount of buildable space left.

"We are squeezed," said Bloomingdale Planning Board chairman Alan Gunderson.

Half the borough falls into the Highlands preservation area, the 850,000-acre North Jersey region that is getting special state attention to protect its water supply and natural spaces.

Bloomingdale officials say their original affordable housing proposal fell apart through transactions they had nothing to do with. One parcel, a horse farm, was included in the Highlands preservation area and couldn't be developed. Another was sold to Passaic County to be annexed to a park next to it, and yet another piece of property was sold to the Passaic River Coalition.

"Now, Bloomingdale doesn't have a location for all of its homes," Gunderson said.

In the meantime, the borough is being criticized by environmentalists who say if D.R. Horton builds on the mountain, it would worsen local flooding and harm water quality. Environmentalists say the developer and the borough's professionals have not properly studied the land.

Town officials say their hands are tied. "I don't think we have flexibility on anything," Gunderson said. "They've been told that any ordinance we have doesn't have to be upheld on their behalf."

Borough officials also say environmentalists are basing their concerns on an old site plan that does not exist anymore. D.R. Horton has not yet filed a new plan, but after years of litigation, a Superior Court judge ordered Bloomingdale to allow D.R. Horton to build 360 condominiums in six buildings on about 30 acres at Federal Hill, a steep, wooded tract west of Route 287. Some 72 of those homes would be classified as affordable.

Jay Goldberg, a spokesman for D.R. Horton, declined to speak about the proposal because negotiations with the borough are ongoing. He said, however, that the downturn in the housing market would not deter the builder from pursuing projects.

Meanwhile, another developer, AvalonBay Communities, has asked a Superior Court judge if it can join D.R. Horton's suit and become part of Bloomingdale's affordable housing plan.

AvalonBay has proposed building 173 rental apartments on 11 acres on Union Avenue. Some 26 of those units would be affordable housing.

The property AvalonBay is proposing to build on is not as environmentally-sensitive, said Ross Kushner of the Pequannock River Coalition. "We don't think it's a totally unsuitable site for meeting some of their (affordable housing obligations)."

Despite the criticisms, some environmentalists acknowledged that Highlands towns, like Bloomingdale, are in a tough place when it comes to balancing affordable housing with preservation interests.

Chris Donnelly, a spokesman for state Department of Community Affairs, said the Council on Affordable Housing, is considering the implications of the Highlands Act of 2004 as it reviews how much affordable housing towns will need to have in the future.

Eileen Swan, executive director of the Highlands Council, said the council is willing to work with towns. There are grants available to Highlands-area communities to help them study where they might put affordable housing, she said. More than half of the 88 municipalities in the Highlands region have taken advantage of those funds to do an analysis of their affordable housing needs, but Bloomingdale is not among them, she said.

"We work with towns," Swan said. "We're here to help and assist them. All they have to do is ask."